

ASSEMBLY BILL

No. 437

Introduced by Assembly Member Yamada

February 24, 2009

An act to add Section 2887 to the Public Utilities Code, relating to telecommunications.

LEGISLATIVE COUNSEL'S DIGEST

AB 437, as introduced, Yamada. Mobile telephony service.

Under existing law, the Federal Communications Commission licenses and partially regulates providers of commercial mobile radio service, including providers of cellular radiotelephone service (cellular), broadband Personal Communications Services (PCS), and digital Specialized Mobile Radio (SMR) services (collectively, mobile telephony service providers). Under existing law, no state or local government may regulate the entry of, or the rates charged by, any commercial mobile radio service, but a state or local government is generally not prohibited from regulating the other terms and conditions of commercial mobile radio service. Existing law requires mobile telephony service providers to provide certain customer and subscriber services.

This bill would prohibit a mobile telephony service provider from directing a customer to a sales representative for the provider when the customer attempts to use the service to complete a telephone call to a person or business other than the provider.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature declares that the purpose of this
2 act is to prohibit mobile telephony service providers, popularly
3 known as “cell phone” carriers, from redirecting a customer’s call
4 to a sales representative in order to offer a service plan upgrade,
5 before the customer is able to place their intended telephone call.
6 SEC. 2. Section 2887 is added to the Public Utilities Code, to
7 read:
8 2887. No mobile telephony service provider may direct a
9 customer to a sales representative for the provider when the
10 customer attempts to use the service to complete a telephone call
11 to a person or business other than the provider.

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